

AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING MONDAY, JUNE 2, 2014 6:30 P.M.

**DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA**

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL - CITY CLERK**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
 - A. **Invocation Presented by Commissioner Denizac - Reverend Saul Maldonado .**
4. **APPROVAL OF MINUTES & AGENDA:**
 - A. **Approval of Minutes - Regular City Commission Meeting of May 19, 2014.**

[The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of May 19, 2014.](#)
 - B. **Additions or Deletions to Agenda.**

PRESENTATIONS/AWARDS/REPORTS:

- A. **Presentation to students who are 2014 Medallion of Excellence winners, Salutatorians, and Valedictorians.**
 - B. **Presentation - Super Star Student of the Month Certificates for May 2014.**
6. **PUBLIC FORUM – Citizen comments for any items.
(4 minute maximum length)**

CONSENT All items marked with an * will be considered by one motion unless removed
AGENDA: from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

7. **CONSENT AGENDA:** None.

8. **ORDINANCES AND PUBLIC HEARINGS:**

A. **Ordinance No. 09-2014, Saxon Plaza Business Unit Development (BPUD), RZ14-004, at first reading.**

The City of Deltona received an application from the owner of lot 4 within the Saxon Plaza (f.k.a. Albertson's Plaza) to amend the Albertson's Plaza Business Planned Unit Development (BPUD) Development Agreement by adding "Daycare Center" to the BPUD list of permitted uses.

Volusia County approval of the Albertson's BPUD in 1991 was prior to the incorporation into the City. This Deltona icon has long been an established gateway facility with a variety of uses within the plaza. The most recent use for the suite proposed for daycare use was an internet cafe located at the southern end of the multi-tenant retail building. The applicant is requesting that "Daycare Center" be added to the list of permitted uses for the BPUD, in the case for this daycare, to allow for a facility that serves special needs children. Thus, staff is in support of the proposed BPUD amendment, based upon the following:

- 1. Daycare Center is defined in Chapter 70-30 of the City's Code of Ordinances;*
- 2. The addition of Daycare Center to the list of permitted uses for the BPUD will not diminish the functionality or viability of the plaza or the gateway characteristics of the property; and*
- 3. The proposed daycare use helps ensure that the project governed by the BPUD does not become obsolete over time.*

Finally, on May 21, 2014, the Planning and Zoning Board voted unanimously to recommend that the City Commission approve Ordinance No. 09-2014.

After discussion, the Commission voted 6 to 1 (Commissioner Nabicht voted against the motion) to approve Ordinance No. 09-2014, an amendment to the Saxon Plaza Business Planned Unit Development (BPUD) that adds Daycare Center as a permitted use, at first reading and to schedule second and final reading for June 16, 2014.

B. Ordinance No. 16-2014, Creating a new Article IX, Chapter 2 of the Code of Ordinances, Pertaining to Sanctions for Charter Violations.

A Workshop was held on Thursday, March 27, 2014 to discuss the Charter Review Committee's recommendations for Charter amendments. At that time the City Commission directed the City Attorney to develop an ordinance to address sanctions for violating the City Charter which was presented to the Commission at the Workshop held on April 14, 2014.

At the Workshop held on Monday, April 14, 2014 the City Attorney presented a draft ordinance as requested by the Commission. After review and discussion of the proposed ordinance the City Commission requested a Joint Meeting with the Charter Review Committee to obtain clarity on the intent of adding an amendment to address Charter violation sanctions.

After the Joint Meeting with the Charter Review Committee on Tuesday, June 27, 2014 the City Attorney made some changes to the Ordinance, and that revised ordinance is now presented for first reading.

After discussion, the Commission voted unanimously to adopt Ordinance No. 16-2014 with the following revision to the last sentence of Sec. 2-280 to read as follows: "Finding of guilt shall only be upon an affirmative vote of a supermajority of the entire City Commission.", at first reading, and to schedule second and final reading for June 16, 2014.

9. OLD BUSINESS: None.

10. NEW BUSINESS:

A. Request to sunset the Charter Review Committee.

The City Commission Confirmed the appointment of a five-member Charter Review Committee of June 17, 2013. The Charter Review Committee has met on a number of occasions and has completed their review of the City Charter. Their recommendations were submitted to the Commission at a joint meeting held on Monday, March 10, 2014. While the terms of their appointment provided that they serve until June 17, 2014, the Commission has determined their services are complete and the Committee is no longer necessary.

After discussion, the Commission voted unanimously to approve the sunsetting of the Charter Review Committee effective this date.

B. Request for approval of Mr. Denny's proposed extended City Manager employment agreement.

At the Workshop held on April 28, 2014, Mr. Denny stated that he wanted to retire

at the end of his contract (June 30, 2014). Mr. Denny stated he was willing to stay through August to see the budget through if the City Commission wanted to extend the contract. The Commission requested to have a workshop to discuss the City Manager selection process as soon as possible.

At the Workshop held on May 21, 2014 the Commission discussed the City Manager selection process and concurred to extend Mr. Denny's contract to through August.

The City Manager is requesting his last day of employment be Tuesday, September 2, 2014.

After discussion, the Commission voted unanimously to approve the City Manager extended employment agreement as presented.

11. CITY ATTORNEY COMMENTS:

12. CITY MANAGER COMMENTS:

A. Lobbyist Update.

13. CITY COMMISSION COMMENTS:

14. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.